

REMARKS

This paper is in response to the official action of January 28, 2004. Reconsideration is requested.

By the foregoing, claims 3 and 4 have been rewritten in independent form, with the limitations of claims 1 and 2 being incorporated into claim 3, and the limitations of claim 1 being incorporated into claim 4. The claims have also been amended to better conform them to U.S. practice.

Our check in the amount of \$172.00 to cover the filing fee for two additional independent claims in excess of three is submitted herewith.

The indication of allowability of claims 6-17 is acknowledged, and it is submitted that amended claims 3-5 are also allowable in view of the indication to that effect on page 3 of the outstanding action.

The rejection of claims 1-3 [sic-claims 1 and 2] as being unpatentable over the applicant's allegedly admitted prior art, Michaelis et al. (EP 277 703), in view of Temple (U.S. 6,582,066) is respectively withdrawn and transversed.

Temple (U.S. 6,582,066) is not available as prior art against the present application.

Temple issued June 24, 2003, from a U.S. application filed November 22, 1999, as a continuation of PCT/GB98/01495 filed May 22, 1998. A British priority date of May 23, 1997 is claimed.

The present application was filed October 22, 1999, claiming the domestic priority of provisional application Serial No. 60/118,574 filed February 5, 1999, and a British priority date of October 24, 1998.

The November 22, 1999, U.S. filing date of Temple '066 is subsequent to the October 22, 1999 U.S. filing date of the present application, as well as the February 5, 1999 filing date of the provisional U.S. application, for which domestic priority is claimed.

The effective date as a reference for Temple '066 under 35 U.S.C §102(e) is its actual U.S. filing date, November 22, 1999. See the attached flowchart for 35 U.S.C. §102(e) dates.

Furthermore, the international application counterpart of Temple '066 published November 26, 1998 as WO 98/52703, subsequent to the October 24, 1998, filing date of British priority application no. 98/23264.8, of record in this application. A copy of the British priority application is submitted herewith for the examiner's consideration.

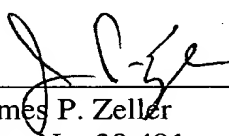
In view thereof, it is submitted that all claims 1-17 are in condition for allowance, and such action is solicited.

Respectfully submitted,

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